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JANINA M. ELDER, TRUSTEE

10 UNITED STATES BANKRUPTCY COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 In re:  
14 SAND HILL CAPITAL PARTNERS III,  
LLC, a California limited liability company,  
15 Debtor.

Chapter 7

No. 08-30989 TC

17 JANINA M. ELDER, Trustee of the  
18 Bankruptcy Estate of Sand Hill Capital  
Partners III, LLC, a California limited  
19 liability company, Debtor,  
20 Plaintiff,

Adv. Pro. No. 09-03109 TC

TRUSTEE'S APPLICATION FOR ORDER  
OF EXAMINATION AND WRITTEN  
DISCOVERY PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 69

21 vs.

22 GARY THORNHILL, an individual,  
23 Defendant.

24 Janina M. Elder, Trustee of the bankruptcy estate of Sand Hill Capital Partners III, LLC  
25 ("Trustee") applies for an Order of Examination and written discovery pursuant to Federal Rule  
26 of Civil Procedure 69 and the California Code of Civil Procedure. In order to adequately  
27 investigate the assets and financial affairs of judgment debtor Thornhill, it is necessary for  
28 Trustee to obtain documents from him, obtain his responses to written discovery and to examine

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APPLICATION FOR ORDER OF  
EXAMINATION

1 him after Trustee has had an opportunity to review his responses.

2 The Trustee prays for an Order of Examination of Gary Thornhill, directing him to (1)  
3 appear and testify before the Court (2) provide the documents listed in **Exhibit 2** to the  
4 contemporaneously filed Declaration of Jeremy A. Burns to Trustee's attorneys, Carr,  
5 McClellan, Ingersoll, Thompson & Horn Professional Law Corporation at 216 Park Road,  
6 Burlingame, California, 35 days after service of the Court's Order. The Trustee further prays  
7 that the Court require Mr. Thornhill to respond to the written interrogatories listed in **Exhibit 3**  
8 to the contemporaneously filed Declaration of Jeremy A. Burns 35 days after service of the  
9 Court's Order. Finally, the Court should require Mr. Thornhill to appear before the Court to  
10 testify shortly after Mr. Thornhill responds to the discovery.

11 Dated: April 19, 2010

12 CARR, McCLELLAN, INGERSOLL, THOMPSON & HORN  
13 Professional Law Corporation

14 By: \_\_\_\_\_



15 Jeremy A. Burns  
16 Attorneys for Judgment Creditor  
17 JANINA M. ELDER, TRUSTEE  
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